

REMARKS

Applicant concurrently files herewith a Request for Continued Examination, an Excess Claim Fee Payment for two (2) excess claims, and corresponding fees.

Claims 1-14, 16-19 and 21-29 are all of the claims presently pending in the application. Claims 1, 6, 8 and 11 have been amended to more particularly define the claimed invention. Claims 28 and 29 have been added to claim additional features of the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant gratefully acknowledges the Examiner's indication that claims 10, 11 and 26 would be allowable if rewritten in independent form. However, Applicant submits that all of the claims are allowable over the cited prior art references.

Claims 1-9, 12-14, 16-19, 21-25 and 27 stand rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative under 35 U.S.C. §103(a) as obvious over, JP 11-112028 (hereinafter "JP '028"). Claim 8 stands rejected under 35 U.S.C. §103(a) as obvious over JP '028 in view of Krausse, III (U.S. Patent No. 4,891,686; hereinafter "Krausse").

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention of exemplary claim 1, provides a light-emitting device including a reflective p-type electrode formed on the light-emitting layer (e.g., see Application at page 11, lines 21-25). Accordingly, the heat-radiating characteristic is improved so that the durability of the light-emitting device is improved (see Application at page 5, lines 6-17). Additionally, this feature is important for improving the light-emitting efficiency of the light-emitting element (see Application at page 1, lines 19-22).

II. THE PRIOR ART REFERENCES

A. The JP '028 Reference

The Examiner alleges that JP '028 teaches the claimed invention of claims 1-9, 12-14,

16-19, 21-25 and 27. Applicant submits, however, that there are features of the claimed invention, which are neither taught nor suggested by JP '028.

That is, JP '028 does not teach or suggest a light-emitting device including “*a reflective p-type electrode formed on said light-emitting layer*”, as recited in exemplary claim 1.

The claimed combination of features, including a reflective p-type electrode formed on the light-emitting layer, can reflect emitted light from the light emitting layer at the p-type electrode (e.g., see Application at page 9, line 6 to page 12, line 4). Thus, the claimed invention can use a substrate surface as a main light-extracting surface.

In stark contrast, JP '028, which uses a surface including a p-side electrode (4b) as a main light-extracting surface (see JP '028 at paragraphs [0016] and [0021]), fails to teach or suggest this feature. Although JP '028 is silent about the property of the p-side electrode (4b), one of ordinary skill in the art would not apply the reflective p-type electrode to the p-side electrode (4b) of JP '028 since a main light extracting side is the p-side electrode (4b) side.

Therefore, in view of the foregoing, Applicant submits that JP '028 does not teach or suggest each and every feature of the claimed invention defined by independent claim 1. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

B. The Krausse Reference

The Examiner alleges that Krausse would have been combined with JP '028 to form the claimed invention of claim 8. Applicant submits, however, that, even if combined, the alleged combination of references would not teach or suggest each and every element of the claimed invention.

That is, neither JP '028 nor Krausse, nor any combination thereof, teaches or suggests a light-emitting device including “*a reflective p-type electrode formed on said light-emitting layer*”, as recited in claim 1.

Indeed, as indicated in Section A, above, JP '028 fails to teach or suggest this feature. Furthermore, Applicant submits that Krausse does not make up the deficiencies of JP '028.

The Examiner attempts to rely on Krausse as teaching multiple bonding wires for lowering inductance. However, the Examiner does not point out any specific portion of Krausse to support his allegations.

That is, nowhere does Krausse teach or suggest a light-emitting device including a reflective p-type electrode formed on the light-emitting layer. Indeed, the Examiner does not even allege that Krausse teaches or suggest these features.

Thus, Krausse fails to make up for the deficiencies of JP '028.

Therefore, Applicant submits that these references, even if combined, would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. NEW CLAIMS

New claims 28 and 29 have been added to provide more varied protection for the claimed invention and to claim additional features of the invention. These claims are independently patentable because of the novel features of the recited therein.

Applicant submits that new claims 28 and 29 are patentable over any combination of the applied references at least for analogous reasons to those set forth above with respect to claims 1-14, 16-19, and 21-27.

IV. FORMAL MATTERS AND CONCLUSION

Applicant again respectfully requests acknowledgement and receipt of the priority document filed with the Application on September 17, 2003.


In view of the foregoing, Applicant submits that claims 1-14, 16-19, and 21-29, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

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Respectfully Submitted,



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